

REMARKS

Claims 1, 3-12, 14 and 15 remain in this application, with Claims 1 and 12 being in independent form. By the present amendment, Claims 3, 14 and 15 have been amended. Adequate support for the amendments is provided in the specification and in the figures. No new matter or issues are believed to be introduced by the amendments.

In the Office Action mailed on October 19, 2004, the Examiner objected to Claims 3, 14 and 15 for depending from cancelled claims. Claims 3, 14 and 15 have been amended in a manner which is believed to overcome the objections. Accordingly, withdrawal of the objections is respectfully requested.

Claims 1, 3-12, 14 and 15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Garcia-Luna-Aceves in view of Sousa. The rejection is respectfully traversed since the Sousa reference was published in September 2000 and Applicant's subject application claims priority to a provisional application (Serial No. 60/204,349) filed on May 15, 2000. The provisional application includes support for the inventive feature recited in Applicant's independent claims for which the Sousa reference is applied. In particular, the provisional application includes support for the inventive feature that the time slot allocation in Applicant's invention is based on node position in space, which is identified periodically. Accordingly, due to Applicant's earlier priority date based on the filing of a provisional application, the Sousa reference is an improper reference for rejecting Applicant's claims and hence, withdrawal of the rejection and allowance of the pending claims are respectfully requested.

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1, 3-12, 14 and 15, are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Applicant's undersigned attorney at (631) 501-5706. Please also note the new mail correspondence address below for all mail communications regarding the subject patent application. A change of correspondence address was filed on March 15, 2002.

Respectfully submitted,



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